

In the Claims:

Please cancel claims 26, 27, 34 and 35 without prejudice to being asserted in a continuing application.

Please amend the claim set to read as follows:

1 – 8. (Canceled)

9. (Withdrawn) An isolated polynucleotide comprising a sequence coding for a polypeptide selected from the group consisting of the polypeptides of claims 1, 2, 3, 4, 5, 6, 7, and 8.

10. (Withdrawn) The isolated polynucleotide of claim 9 wherein said polynucleotide has a nucleotide sequence selected from the group consisting of SEQ ID NO: 1, 3 and 5.

11. (Withdrawn) An antibody specific for a polypeptide selected from the group consisting of the polypeptides of claims 1, 2, 3, 4, 5, 6, 7, and 8.

12. (Withdrawn) The antibody of claim 11 wherein said antibody is a monoclonal antibody.

13. (Withdrawn) A genetically engineered cell producing the antibody of claim 12.

14. (Withdrawn) A vector comprising the polynucleotide of claim 9.

15. (Withdrawn) A vector comprising the polynucleotide of claim 10.

16. (Withdrawn) A genetically engineered cell expressing the polypeptide coded for by the polynucleotide of claim 9 or 10.

17. (Withdrawn) A composition comprising a polypeptide selected from the group consisting of the polypeptides of claims 1, 2, 3, 4, 5, 6, 7, and 8, said polypeptide being suspended in a pharmacologically acceptable diluent or excipient.

18. (Withdrawn) A vaccine composition comprising a polypeptide selected from the group consisting of the polypeptide of claims 1, 2, 3, 4, 5, 6, 7, and 8, said polypeptide being present in an amount effective to produce an immune response, and wherein said polypeptide is suspended in a pharmacologically acceptable carrier, diluent or excipient.

19. (Withdrawn) A vaccine comprising an immunogenically active amount of the composition of claim 17.

20. (Withdrawn) A method of vaccinating an animal against infection by a bacterial organism selected from the group consisting of streptococcal bacteria and staphylococcal bacteria comprising administering to said animal an immunologically effective amount of the vaccine of claim 19.

21. (Withdrawn) The method of claim 20 wherein said animal is a human.

22. (Withdrawn) A method of treating a disease comprising administering to an animal afflicted therewith of a therapeutically effective amount of an antibody of claim 12 wherein said antibody is suspended in a pharmacologically acceptable carrier, diluent or excipient.

23. (Withdrawn) The method of claim 22 wherein said animal is a human.

24. (Withdrawn) The method of claim 22 wherein said disease is caused by an organism selected from the group consisting of group A streptococci, group B streptococci, and *Staphylococcus aureus*.

25. (Currently Amended) An isolated polypeptide comprising an amino acid sequence with at least 75% 95% sequence identity to the sequence of SEQ ID NO: 4 and wherein said polypeptide binds to an antibody that is specific for Sp36.

26. (Canceled)

27. (Canceled)

28. (Currently Amended) An isolated polypeptide comprising an amino acid sequence with at least 75% 95% sequence identity to a sequence selected from the group consisting of SEQ ID NO: 2 and 4 wherein said polypeptide is present in an organism selected from the group consisting of Group A streptococci and *Staphylococcus aureus* and wherein said polypeptide binds to an antibody that is specific for Sp36.

29. (Previously Presented) The isolated polypeptide of claim 28 wherein said Group A organism is *Streptococcus pyogenes*.

30. (Previously Presented) The isolated polypeptide of claim 28 wherein said organism is *Staphylococcus aureus*.

31. (Canceled)

32. (Canceled)

33. (Currently Amended) An isolated polypeptide comprising an amino acid sequence at least ~~75%~~ 95% identical to the sequence of SEQ ID NO: 4 and wherein said polypeptide has a sequence with at least ~~25%~~ 12.6% sequence identity to the amino acid sequence of the Sp36 protein (SEQ ID NO: 7) of *Streptococcus pneumoniae* and wherein said isolated polypeptide binds to an antibody that is specific for Sp36.

34. (Canceled)

35. (Canceled)

36. (Previously Presented) An isolated polypeptide comprising the sequence of SEQ ID NO: 2 wherein said isolated polypeptide binds to an antibody that is specific for Sp36 (SEQ ID NO: 7) of *Streptococcus pneumoniae*.

37. (Previously Presented) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO: 2.

38. (Previously Presented) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO: 4.